

**UNAPPROVED DRAFT**

**BOARD OF DENTISTRY**

**MINUTES  
FORMAL HEARING**

**TIME AND PLACE:** A meeting of the Virginia Board of Dentistry convened on March 6, 2008, at 9:06 a.m., at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Richmond, VA 23233.

**FIRST FORMAL HEARING:** 9:06 a.m.

**PRESIDING:** Paul N. Zimmet, D.D.S., President

**MEMBERS PRESENT:** Meera A. Gokli, D.D.S.  
Jeffrey Levin, D.D.S.  
Jacqueline G. Pace, R.D.H.  
Darryl J. Pirok, D.D.S.  
Edward P. Snyder, D.D.S.  
Glenn A. Young, D.D.S.

**MEMBERS ABSENT:** Myra Howard

**MEMBERS RECUSED:** Misty L. Sissom, R.D.H.  
James D. Watkins, D.D.S.

**STAFF PRESENT:** Sandra K. Reen, Executive Director  
Cheri Emma-Leigh, Operations Manager  
Cynthia E. Gaines, Adjudication Specialist

**COUNSEL PRESENT:** Ishneila G. Moore, Assistant Attorney General

**OTHERS PRESENT:** James Schliessmann, Assistant Attorney General  
Debra J. Votta, Court Reporter, Capitol Reporting, Inc.

**QUORUM:** With seven members of the Board present, a quorum was established.

**James D. Geren, D.D.S.  
Case No. 104997** James D. Geren, D.D.S. appeared with counsel, Mark M. Jones, Esq., to discuss allegations that he may have violated laws and regulations governing the practice of dentistry, in that

1. On or about May 23, 2000, Patient A presented to his practice with a complaint of lingering pain in tooth #2, a tooth Dr. Geren previously crowned. Dr. Geren diagnosed Patient A with irreversible pulpitis and performed an incomplete root canal on tooth 32, leaving the mesial buccal and distal buccal canals without retrograde fillings. Dr. Geren was unable to negotiate the medial root due to calcification.
2. On May 30, 2000, Patient A returned with continued pain in tooth #2, which Dr. Geren diagnosed as an infection in the palatal root. Dr. Geren failed to prescribe antibiotics to Patient A for the infection and to refer her to an endodontist for further evaluation of the tooth.
3. On October 18, 2001, Patient A returned with a complaint of pain in tooth #2. Without consulting a specialist or referring Patient A to an endodontist to determine the viability of tooth #2, Dr. Geren extracted and re-implanted it into the site with alveolar bone loss, knowing that the root canal was incomplete and had inadequate retrofilling.
4. During the re-implantation of tooth #2, Dr. Geren perforated Patient A's sinus cavity. After discovering the perforation, Dr. Geren improperly repositioned tooth #2 and allowed it to remain in the site, without splinting to stabilize the tooth following the re-implantation. Further, Dr. Geren failed to monitor Patient A following the re-implantation of tooth #2.
5. Dental records for Patient A do not always include the identity of the person providing the treatment. Further, the records do not reflect the type and amount of anesthesia administered, materials used for procedures rendered, periodontal charting, a treatment plan or post-operative instructions.

The Board admitted into evidence Commonwealth's exhibits 1 through 3.

The Board admitted into evidence Respondent's exhibits A through C.

Testifying on behalf of the Commonwealth was Mark Richard Gordon, D.D.S.

Dr. Geren testified on his own behalf.

**Closed Meeting:**

Dr. Gokli moved that the Board convene a closed meeting pursuant to § 2.2-3711(A)(28) of the Code of Virginia to deliberate for the purpose of reaching a decision in the matter of James D. Geren, D.D.S. Additionally, Dr. Gokli moved that Board Staff, Sandra Reen, and Board Counsel, Ishneila Moore, attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations. The motion was seconded and passed.

**Reconvene:**

Dr. Gokli moved to certify that only matters lawfully exempted from open meeting requirements under Virginia law were discussed in the closed meeting and only matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board. The motion was seconded and passed.

The Board reconvened in open session pursuant to § 2.2-3712(D) of the Code.

**Decision:**

Ms. Moore read the Findings of Facts and Conclusions of Law and Sanctions imposed as adopted by the Board as follows:

1. Dr. Geren currently holds a Virginia dental license.
2. Dr. Geren violated § 54.1-2706(9) of the Code and 18 VAC 60-20-15 of the Board's regulations, in that dental records for Patient A were often incomplete. Dr. Geren testified that he agreed his recordkeeping could be improved. Specifically, Patient A's records did not adequately reflect the type and

amount of anesthesia administered, materials used for procedures rendered, periodontal charting, identity of treatment provider, a treatment plan and/or post-operative instructions.

3. Dr. Geren testified that he has taken two risk management and jurisprudence courses in order to improve his office record keeping.

Ms. Moore reported that no sanctions will be imposed.

Dr. Snyder moved to adopt the Findings of Fact, Conclusions of Law and Sanctions imposed as read by Ms. Moore and issuing an Order stating such. The motion was seconded and passed.

**This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of the Board.**

**SECOND FORMAL  
HEARING:**

1:15 p.m.

**PRESIDING:**

Paul N. Zimmet, D.D.S., President

**MEMBERS PRESENT:**

Meera A. Gokli, D.D.S.  
Jeffrey Levin, D.D.S.  
Jacqueline G. Pace, R.D.H.  
Darryl J. Pirok, D.D.S.  
Edward P. Snyder, D.D.S.  
Glenn A. Young, D.D.S.

**MEMBERS ABSENT:**

Myra Howard  
Misty L. Sissom, R.D.H.

**MEMBERS RECUSED:**

James D. Watkins, D.D.S.

**STAFF PRESENT:**

Sandra K. Reen, Executive Director  
Cheri Emma-Leigh, Operations Manager  
Gail W. Ross, Adjudication Specialist

**COUNSEL PRESENT:**

Ishneila G. Moore, Assistant Attorney General

**OTHERS PRESENT:** Wayne Halbleib, Assistant Attorney General  
Debra J. Votta, Court Reporter, Capitol Reporting, Inc.

**QUORUM:** With seven members of the Board present, a quorum was established.

**James Wesley Taylor,  
D.D.S., Applicant  
Case No. 116619**

James Wesley Taylor, D.D.S. appeared without counsel to discuss his reinstatement application for licensure as a dentist in the Commonwealth of Virginia and to receive evidence that grounds exist to deny reinstatement, in that

1. In or about 1999, he sustained a traumatic brain injury, which caused cognitive deficits that, in combination with the effects of past substance abuse, render him mentally incompetent to practice dentistry with safety to his patient and the public.
2. He provided false information on his Application by answering "No" to Question II (k) which reads: "Have you ever had any of the following disciplinary actions taken against your license to practice dentistry, your DEA permit, Medicare, Medicaid or any such actions pending; suspension/revocation, or probation, or reprimand/cease and desist or monitoring or practice, or limitation placed on scheduled drugs?", even though he had the following disciplinary actions taken against his Virginia license:
  - a. On February 21, 1992, his Virginia license was summarily suspended.
  - b. On April 6, 1992, his Virginia license was revoked.
  - c. On December 20, 1999, he was excluded from participation in any federal health care programs (Medicare/Medicaid) as a result of defaulting on his health education loan.

The Board admitted into evidence Commonwealth's exhibits 1 through 4.

The Board admitted into evidence Respondent's exhibit A.

Dr. Taylor testified on his own behalf. Testifying on behalf of the Respondent was Troy Henshaw, Case Manager, Health Practitioner Intervention Program.

Testifying on behalf of the Commonwealth were Terrance A. Tierney, Psychologist, and Vicky Fox, Senior Investigator. Testifying on behalf of the Commonwealth by telephone was Sherman Master, Psychiatrist.

**Closed Meeting:**

Dr. Gokli moved that the Board convene a closed meeting pursuant to § 2.2-3711(A)(28) of the Code of Virginia to deliberate for the purpose of reaching a decision in the matter of James Wesley Taylor, D.D.S. Additionally, Dr. Gokli moved that Board Staff, Sandra Reen, and Board Counsel, Ishneila Moore, attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations. The motion was seconded and passed.

**Reconvene:**

Dr. Gokli moved to certify that only matters lawfully exempted from open meeting requirements under Virginia law were discussed in the closed meeting and only matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board. The motion was seconded and passed.

The Board reconvened in open session pursuant to § 2.2-3712(D) of the Code.

**Decision:**

Ms. Moore read the Findings of Facts and Conclusions of Law and Sanctions imposed as adopted by the Board as follows:

1. Dr. Taylor voluntarily surrendered his license for revocation by Consent Order of the Board entered April 6, 1992.

2. Dr. Taylor submitted a Reinstatement Application for Licensure to Practice Dentistry on or about July 9, 2007.
3. Dr. Taylor is in violation of § 54.1-2706(8) of the Code, in that, he sustained a traumatic brain injury in 1999, which caused cognitive deficits that, in combination with the effects of past substance abuse, render him mentally incompetent to practice dentistry with safety to his patients and the public.
4. The Board determined that Dr. Taylor has not demonstrated that he is competent to resume the practice of dentistry.

Ms. Moore reported that Dr. Taylor's' application for reinstatement is denied.

Dr. Young moved to adopt the Findings of Fact, Conclusions of Law and Sanctions imposed as read by Ms. Moore and issuing an Order stating such. The motion was seconded and passed.

**This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of the Board.**

**ADJOURNMENT:**

With all business concluded, the Committee adjourned at 3:30 p.m.

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Paul N. Zimmet, D.D.S., Chair

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Sandra K. Reen, Executive Director

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Date

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Date